

Draft Environmental Assessment



Lake Helena FISHING ACCESS SITE Development and Management Project

June 2008



***Montana Fish,
Wildlife & Parks***

Lake Helena Fishing Access Site Development and Management Project Draft Environmental Assessment MEPA, NEPA, MCA 23-1-110 CHECKLIST

PART I. PROPOSED ACTION DESCRIPTION

1. **Type of proposed state action:** Montana Fish, Wildlife & Parks (FWP) proposes to enter into a cooperative agreement with the Bureau of Reclamation and the Helena Valley Irrigation District to establish a Fishing Access Site (FAS) on Lake Helena. Development would include an access road, parking area for 15 truck/trailers, fencing around an irrigation canal, a boat ramp, vault toilet, and signs.
2. **Agency authority for the proposed action:** The 1977 Montana Legislature enacted Montana Section 87-1-605 (MCA), which directs Fish, Wildlife & Parks (FWP) to acquire, develop and operate a system of fishing accesses. The legislature established an earmarked funding account to ensure that this fishing access site function would be established.

In addition, Montana Section 2-15-107(2) states that "Except as otherwise provided by law, each department head may: d) enter into agreements with federal, state, and local agencies necessary to carry out the department's functions".

3. **Name of project:** Lake Helena Fishing Access Site Development and Management Project.
4. **Name, address and phone number of project sponsor:** Montana Fish, Wildlife, and Parks is the project sponsor.
5. Estimated start of construction: Spring 2009
Estimated completion of construction: Summer 2009
Current Status of Project Design (% complete): 50
6. **Location affected by proposed action (county, range and township):** Township 11N, Range 03W, sec. 13 in Lewis and Clark County.
7. **Project size -- estimate the number of acres that would be directly affected that are currently:**

	<u>Acres</u>	<u>Acres</u>
(a) Developed:		(d) Floodplain
Residential	___0	
Industrial	___0	(e) Productive:
		Irrigated cropland
		___0

(b) Open Space/Woodlands/Recreation	<u>0</u>	Dry cropland	<u>0</u>
		Forestry	<u>0</u>
(c) Wetlands/Riparian Areas	<u>2</u>	Rangeland	<u>3</u>
		Other	<u>0</u>

8. Listing of any other Local, State or Federal agency that has overlapping or additional jurisdiction.

(a) Permits: permits will be filed at least 4 weeks prior to project start.

<u>Agency Name</u>	<u>Permit</u>
US Corps of Engineers Section 404	
US Corps of Engineers Section 10	
Montana Dept of Environmental Quality 318	

(b) Funding:

<u>Agency Name</u>	<u>Amount</u>
Madison-Missouri River Trust Fund	\$81,511
PPL-Montana	\$81,511
Montana Fish, Wildlife & Parks	<u>\$80,000</u>
Total	\$243,022

(c) Other Overlapping or Additional Jurisdictional Responsibilities:

<u>Agency Name</u>	<u>Type of Responsibility</u>
Bureau of Reclamation	Partner
Helena Valley Irrigation District	Partner

9. Narrative summary of the proposed action or project including the benefits and purpose of the proposed action:

Lake Helena is a 2100-acre body of water in the Helena Valley that has no legitimate public boating access. This shallow lake has become a very popular seasonal fishery as fish are attracted to the warm water soon after ice-off. Sampling has shown sport fish such as walleye, yellow perch, rainbow trout, kokanee salmon, mountain whitefish and brown trout are present in relatively high densities from early spring into July. Anglers are aware of the migration into Lake Helena and heavily fish the causeway. Lake Helena received 6,290 angler days and ranked 18th regionally in angling pressure during 2005. If suitable boat access was available, FWP managers anticipate that early spring to mid-July angler use would dramatically increase.

Fish, Wildlife & Parks has pursued access on Lake Helena before with no success as nearly all the shoreline is in private ownership. Although FWP owns a large portion of the northwest portion of Lake Helena and manages it as a Wildlife Management Area (WMA), this portion of the lake is too shallow to launch fishing boats. Currently, the only boat access to Lake Helena is a small corner at the Causeway that has a primitive grass/gravel slope into the water. This is a poor site as there is no parking and boat trailers must back across a county road to access the water (see Figure 1). Lewis and Clark County has deemed this site unsafe, and it could be closed in the near future leaving no public boat access to Lake Helena.

In response to this situation, FWP began negotiating with the Bureau of Reclamation (BOR) in 2007 about the possibility of leasing BOR property on Lake Helena for a Fishing Access Site (FAS). A suitable site was located on the north side of the lake about halfway between the Causeway and the WMA (see Figs. 2 and 3). This five-acre site, although owned by the BOR, is administered by the Helena Valley Irrigation District (HVID) because it includes a main irrigation canal (see Fig. 4). The BOR and HVID have agreed to enter into a long-term management agreement with FWP in order for FWP to develop and manage a FAS on that site.

FWP managers have proposed basic site development of the FAS that would include an access road, parking area for 15 truck/trailers, fencing around the canal, a boat ramp, an ADA-accessible vault toilet, and signs (see Figs. 5 and 6). The fencing around the canal would include large (20 ft.) gates at both ends to allow HVID access for maintenance. The site would be day-use only—no overnight camping would be allowed. Additionally, Lake Helena boating regulations would remain in effect; boaters are required to operate under no wake speeds throughout most of the year until the opening of waterfowl season. FWP Parks Division would carry out long-term maintenance and management of the FAS including noxious weed control. The primary funding source for development is PPL-MT and the Missouri-Madison River Trust Fund.

The benefits of the proposed action include the opportunity to establish a permanent FAS on Lake Helena at a reasonable cost. There is substantial public support for access on Lake Helena from several angling and sportsmen's groups as well as local landowners. The development of this FAS would significantly add to public recreational opportunities in the Region.



Figure 1. Photo showing existing informal boat access to Lake Helena.

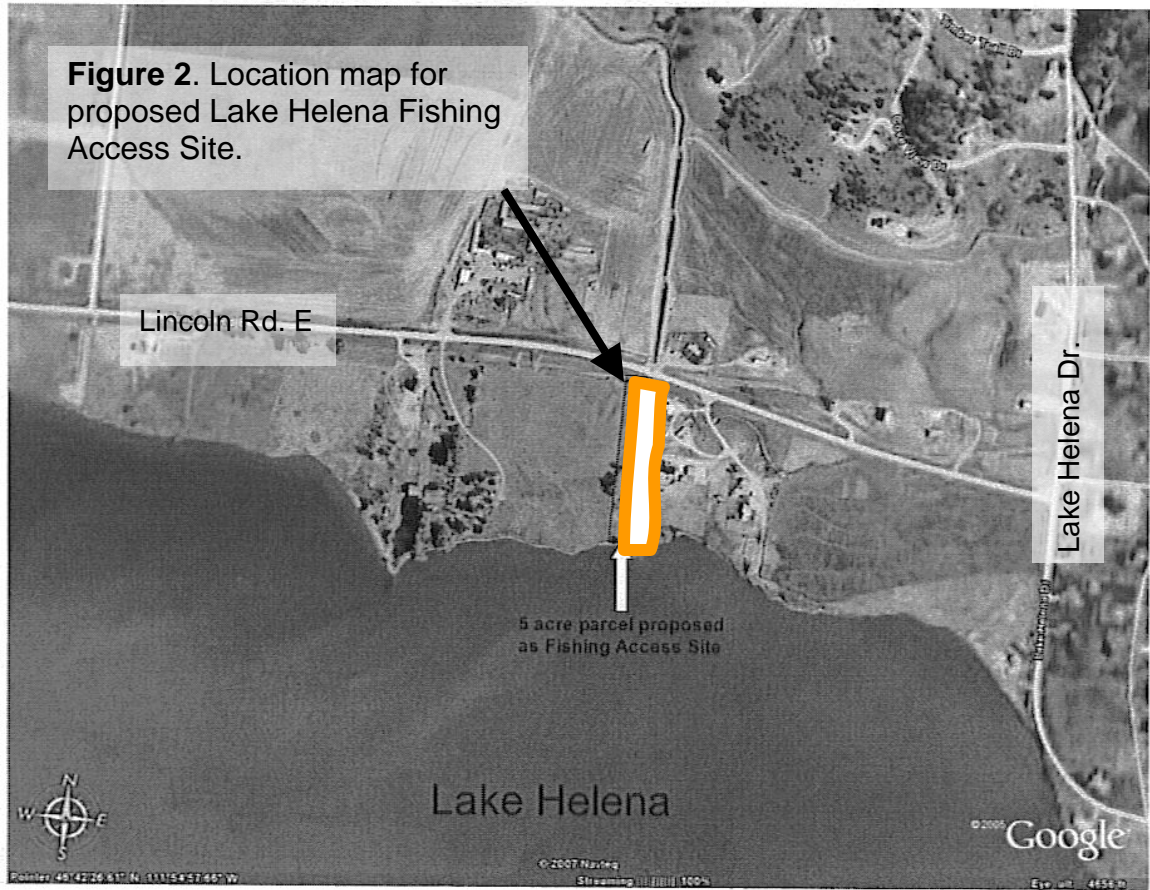




Figure 3. Photo looking north from proposed boat ramp site on the proposed Lake Helena FAS.



Figure 4. Photo of proposed FAS site showing main irrigation canal and bay.

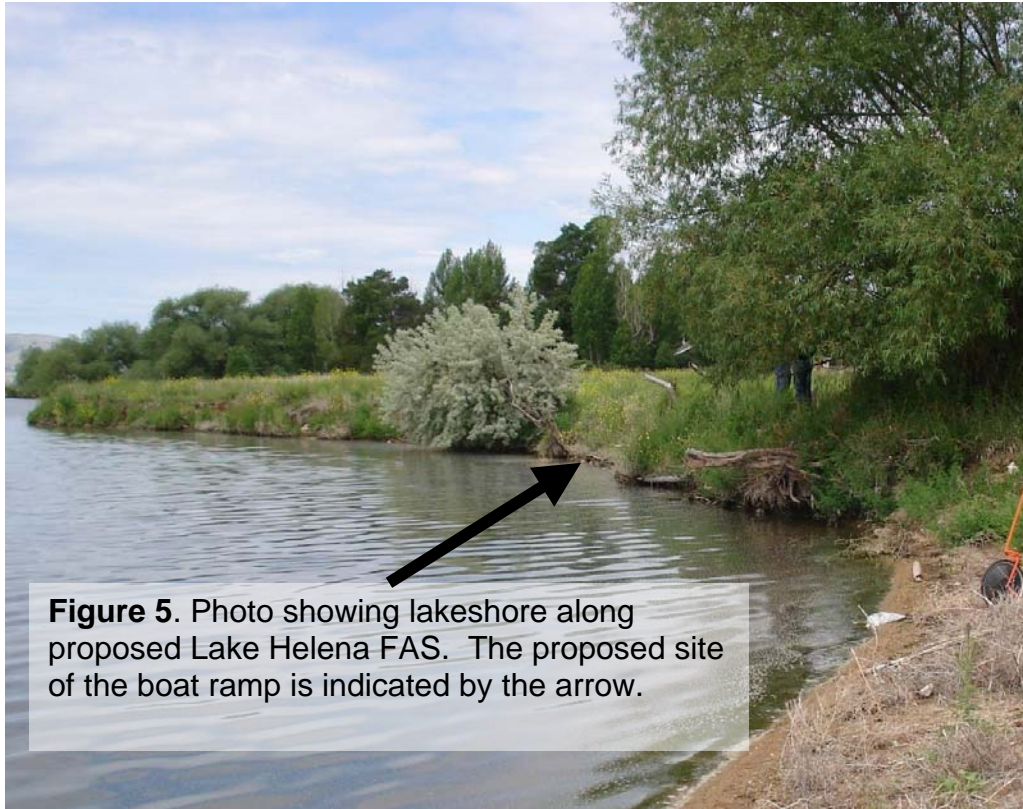


Figure 5. Photo showing lakeshore along proposed Lake Helena FAS. The proposed site of the boat ramp is indicated by the arrow.

16' Wide Concrete Boat Ramp



SCALE: 1" = 60'



Dr. Mangum

PART II. ENVIRONMENTAL REVIEW

1. Description and analysis of reasonable alternatives:

Alternative A: No Action

If no action is taken, the Department would not enter into a MOU with the Helena Valley Irrigation District and the Bureau of Reclamation to establish a Fishing Access Site on the north shore of Lake Helena. If no action is taken, public access to Lake Helena would continue to be very limited and future options of finding another suitable site are few.

Preferred Alternative B: Proposed Action

In the preferred alternative, FWP would proceed with plans to enter into a cooperative agreement with the Bureau of Reclamation and the Helena Valley Irrigation District to establish a Fishing Access Site (FAS) on the north shore of Lake Helena. FWP would enter into a long-term, no-fee lease for the five-acre property and develop it for use as an FAS.

Development would include an access road, parking area for 15 truck/trailers, fencing around an irrigation ditch, a boat ramp, latrine, and signs. FWP would like to provide better public access to this good-quality fishery and improve angling opportunities for the residents of Helena and adjacent areas.

2. Evaluation and listing of mitigation, stipulation, or other control measures enforceable by the agency or another government agency:

There are no mitigation, stipulations, or other controls associated with the actions. Therefore, no evaluation is necessary.

3. Private Property Regulatory Restrictions:

Actions described in this environmental analysis do not regulate the use of private, tangible personal property, and therefore do not require an evaluation of regulatory restrictions on private property.

PART III. ENVIRONMENTAL REVIEW CHECKLIST

3. Evaluation of the impacts of the Proposed Action including secondary and cumulative impacts on the Physical and Human Environment.

A. PHYSICAL ENVIRONMENT

1. <u>LAND RESOURCES</u> Will the proposed action result in:	IMPACT *				Can Impact Be Mitigated *	Comment Index
	Unknown *	None	Minor *	Potentially Significant		
a. **Soil instability or changes in geologic substructure?		X				
b. Disruption, displacement, erosion, compaction, moisture loss, or over-covering of soil, which would reduce productivity or fertility?			X		yes	1b.
c. **Destruction, covering or modification of any unique geologic or physical features?		X				
d. Changes in siltation, deposition or erosion patterns that may modify the channel of a river or stream or the bed or shore of a lake?			X			1d.
e. Exposure of people or property to earthquakes, landslides, ground failure, or other natural hazard?		X				
f. Other:		X				

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (attach additional pages of narrative if needed):

- 1b. Soil would be disturbed and over-covered during the construction of the entrance road and parking area. Negative impacts can be mitigated by the adherence to Best Management Practices (BMP's) during all phases of construction. For example, all erodible, exposed soils would be stabilized by seeding, compacting, benching, mulching, or other suitable means following construction. The facilities have been designed to the minimum standard necessary to accommodate anticipated use.
- 1d. The construction and use of a boat ramp at this site would cause minor changes to the shore of Lake Helena.

* Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or cannot be evaluated.

** Include a narrative description addressing the items identified in 12.8.604-1a (ARM).

*** Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

**** Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

2. <u>AIR</u> Will the proposed action result in:	IMPACT *				Can Impact Be Mitigated *	Comment Index
	Unknown *	None	Minor *	Potentially Significant		
a. **Emission of air pollutants or deterioration of ambient air quality? (Also see 13 (c).)			X			2a.
b. Creation of objectionable odors?			X		yes	2b.
c. Alteration of air movement, moisture, or temperature patterns or any change in climate, either locally or regionally?		X				
d. Adverse effects on vegetation, including crops, due to increased emissions of pollutants?		X				
e. ***For P-R/D-J projects, will the project result in any discharge, which will conflict with federal or state air quality regs? (Also see 2a.)						
f. Other:		X				

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Air Resources (attach additional pages of narrative if needed):

- 2a. Minor and temporary dust and vehicle emissions will be created by heavy equipment during construction of the entrance road, parking lot, and boat ramp.
- 2b. Latrines can sometimes emit offensive odors. This impact can be mitigated by procuring a Sweet Smelling Toilet (SST) and orienting it in the appropriate manner to minimize the odors and performing regular maintenance of the vault toilet.

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3. <u>WATER</u> Will the proposed action result in:	IMPACT *				Can Impact Be Mitigated*	Comment Index
	Unknown *	None	Minor *	Potentially Significant		
a. *Discharge into surface water or any alteration of surface water quality including but not limited to temperature, dissolved oxygen or turbidity?			X		yes	3a.
b. Changes in drainage patterns or the rate and amount of surface runoff?			x			3b.
c. Alteration of the course or magnitude of floodwater or other flows?		X				
d. Changes in the amount of surface water in any water body or creation of a new water body?		X				
e. Exposure of people or property to water related hazards such as flooding?		X				
f. Changes in the quality of groundwater?		X				
g. Changes in the quantity of groundwater?		X				
h. Increase in risk of contamination of surface or groundwater?		X				
i. Effects on any existing water right or reservation?		X				
j. Effects on other water users as a result of any alteration in surface or groundwater quality?		X				
k. Effects on other users as a result of any alteration in surface or groundwater quantity?		X				
l. ****For P-R/D-J, will the project affect a designated floodplain? (Also see 3c.)						
m. ***For P-R/D-J, will the project result in any discharge that will affect federal or state water quality regulations? (Also see 3a.)						
n. Other:		X				

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Water Resources (attach additional pages of narrative if needed):

- 3a. Short-term increases in turbidity will occur in the immediate vicinity of the boat ramp during project construction. Also, short-term increases in turbidity will be present on a recurring basis when boats are launched, but this effect will be minor. Best Management Practices will be followed in all aspects of the project.
- 3b. Surface run-off would increase by a very small degree as a result of the proposed project. The access road and parking areas would not be paved, which will minimize run-off.

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** Include a narrative description addressing the items identified in 12.8.604-1a (ARM).

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4. VEGETATION Will the proposed action result in?	IMPACT *				Can Impact Be Mitigated *	Comment Index
	Unknown *	None	Minor *	Potentially Significant		
a. Changes in the diversity, productivity or abundance of plant species (including trees, shrubs, grass, crops, and aquatic plants)?			X			4a.
b. Alteration of a plant community?			X			4b.
c. Adverse effects on any unique, rare, threatened, or endangered species?		X				4c.
d. Reduction in acreage or productivity of any agricultural land?		X				
e. Establishment or spread of noxious weeds?			X			4e.
f. ****For P-R/D-J, will the project affect wetlands, or prime and unique farmland?						
g. Other:		X				

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Vegetation (attach additional pages of narrative if needed):

- 4a. The proposed project would require the removal of approximately 1/8 acre of vegetation for the parking lot and 1/2 acre of vegetation for the entrance road. Vegetation in the project area is comprised mainly of native and non-native grasses and forbs. This plant community is common and well-represented locally and regionally, and the overall effect would not be significant.
- 4b. Please see comment 4a.
- 4c. A search of the Montana Natural Heritage Database did not reveal any plant species of concern that is known to occur within the project site or larger project area.
- 4e. Disturbed soils could become colonized by noxious weeds. FWP would re-seed or re-vegetate all disturbed areas and actively manage the entire site for noxious weeds under the FWP Region Three Weed Management Plan.

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**** Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

** 5. FISH/WILDLIFE Will the proposed action result in:	IMPACT *				Can Impact Be Mitigated *	Comment Index
	Unknown *	None	Minor *	Potentially Significant		
a. Deterioration of critical fish or wildlife habitat?		X				
b. Changes in the diversity or abundance of game animals or bird species?			X			5b.
c. Changes in the diversity or abundance of nongame species?			X			5c.
d. Introduction of new species into an area?		X				
e. Creation of a barrier to the migration or movement of animals?		X				
f. Adverse effects on any unique, rare, threatened, or endangered species?		X				5f.
g. Increase in conditions that stress wildlife populations or limit abundance (including harassment, legal or illegal harvest or other human activity)?		X				
h. ****For P-R/D-J, will the project be performed in any area in which T&E species are present, and will the project affect any T&E species or their habitat? (Also see 5f.)						
i. ***For P-R/D-J, will the project introduce or export any species not presently or historically occurring in the receiving location? (Also see 5d.)						
j. Other:		X				

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Fish and Wildlife (attach additional pages of narrative if needed):

- 5b. The proposed action would increase public access to Lake Helena which would result in more fishing pressure and more game fish mortality. Department fisheries biologists feel that fish populations in Lake Helena can support the expected increase in pressure. Game wardens regularly patrol FASs to ensure that anglers are complying with state regulations.
- 5c. The proposed project would increase boating activity on the lake which might have a negative impact on nesting waterbirds. This impact can be mitigated through the continued enforcement of existing no-wake regulations.
- 5f. A search of the Natural Resources Information System provided by the Montana Natural Heritage Program showed that the project area is within possible gray wolf (an endangered species) habitat. No observations of wolves have been recorded at this location, but it is possible that they have moved through the area. The type of light construction proposed in this project is unlikely to have an impact on wolves, should they occur, because of the project's small footprint and the existing human presence in the area. Black-tailed prairie dogs, bald eagles, and bobolink also occur in the larger area but are mainly found in the heavily vegetated southwestern edge of Lake Helena. No observations of these species have been documented within ½ mile of the project site. Please see Appendix 2 for a complete description of species of concern found in the larger project area.

* Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or cannot be evaluated.

** Include a narrative description addressing the items identified in 12.8.604-1a (ARM).

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**** Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

B. HUMAN ENVIRONMENT

6. <u>NOISE/ELECTRICAL EFFECTS</u> Will the proposed action result in:	IMPACT *				Can Impact Be Mitigated *	Comment Index
	Unknown *	None	Minor *	Potentially Significant		
a. Increases in existing noise levels?			x			6a.
b. Exposure of people to serve or nuisance noise levels?		X				
c. Creation of electrostatic or electromagnetic effects that could be detrimental to human health or property?		X				
d. Interference with radio or television reception and operation?		X				
e. Other:		X				

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Noise/Electrical Effects (attach additional pages of narrative if needed):

- 6a. There would be a temporary increase in noise level during construction, but it would end after completion of the project. There is also a potential for increased noise levels from recreational use, primarily vehicle traffic, and human voices. This impact would be greatest during peak use which is expected to be early spring to mid July. It is possible that the landowner to the east of the project site would be affected. This impact would be mitigated by the site being managed for day-use only and the actual boat ramp (where most noise would occur) being located several hundred yards from the nearest residence. Existing vegetative buffer would also absorb some of the noise.

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** Include a narrative description addressing the items identified in 12.8.604-1a (ARM).

*** Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

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7. LAND USE Will the proposed action result in:	IMPACT *				Can Impact Be Mitigated *	Comment Index
	Unknown *	None	Minor *	Potentially Significant		
a. Alteration of or interference with the productivity or profitability of the existing land use of an area?		X				7a.
b. Conflicted with a designated natural area or area of unusual scientific or educational importance?		X				
c. Conflict with any existing land use whose presence would constrain or potentially prohibit the proposed action?		X				
d. Adverse effects on or relocation of residences?			X			7d.
e. Other:		X				

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Use (attach additional pages of narrative if needed):

- 7a. The proposed action would not alter or interfere with the productivity or profitability of the existing land use, nor does it conflict with a designated natural area or area of unusual scientific or educational importance.
- 7d. The adjoining landowner on the east side might be slightly impacted by the change in land use. Potential impacts include increased noise from vehicles, boats and voices.

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**** Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

8. RISK/HEALTH HAZARDS Will the proposed action result in:	IMPACT *				Can Impact Be Mitigated *	Comment Index
	Unknown *	None	Minor *	Potentially Significant		
a. Risk of an explosion or release of hazardous substances (including, but not limited to oil, pesticides, chemicals, or radiation) in the event of an accident or other forms of disruption?			X		yes	8a.
b. Affect an existing emergency response or emergency evacuation plan, or create a need for a new plan?		X				
c. Creation of any human health hazard or potential hazard?			X		yes	8c.
d. ***For P-R/D-J, will any chemical toxicants be used? (Also see 8a)						
e. Other:		X				

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Risk/Health Hazards (attach additional pages of narrative if needed):

- 8a. The FWP Region 3 Weed Management Plan calls for an integrated method of managing weeds, including the use of herbicides. The use of herbicides would be in compliance with application guidelines and conducted by people trained in safe handling techniques. Weeds would also be controlled using mechanical or biological means in sensitive areas to reduce the risk of chemical spills or water contamination.
- 8c. The proximity of the irrigation canal to the parking area and access road creates a slight safety hazard. A six-foot chain-link fence with 3-strand barbed wire top will be erected along its entire length to mitigate this impact.

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9. COMMUNITY IMPACT Will the proposed action result in:	IMPACT *				Can Impact Be Mitigated *	Comment Index
	Unknown *	None	Minor *	Potentially Significant		
a. Alteration of the location, distribution, density, or growth rate of the human population of an area?		X				
b. Alteration of the social structure of a community?		X				
c. Alteration of the level or distribution of employment or community or personal income?		X				
d. Changes in industrial or commercial activity?		X				
e. Increased traffic hazards or effects on existing transportation facilities or patterns of movement of people and goods?		X				9e.
f. Other:		X				

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Community Impact (attach additional pages of narrative if needed):

9e. The proposed project is not expected to cause any impacts to the surrounding community of Helena.

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*** Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

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10. <u>PUBLIC SERVICES/TAXES/UTILITIES</u> Will the proposed action result in:	IMPACT *				Can Impact Be Mitigated *	Comment Index
	Unknown *	None	Minor *	Potentially Significant		
a. Will the proposed action have an effect upon or result in a need for new or altered governmental services in any of the following areas: fire or police protection, schools, parks/recreational facilities, roads or other public maintenance, water supply, sewer or septic systems, solid waste disposal, health, or other governmental services? If any, specify:		X				
b. Will the proposed action have an effect upon the local or state tax base and revenues?		X				
c. Will the proposed action result in a need for new facilities or substantial alterations of any of the following utilities: electric power, natural gas, other fuel supply or distribution systems, or communications?		X				
d. Will the proposed action result in increased use of any energy source?		X				
e. **Define projected revenue sources						10e.
f. **Define projected maintenance costs.						10f.
g. Other:		X				

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Public Services/Taxes/Utilities (attach additional pages of narrative if needed):

10e. The cost of the proposed improvements is estimated to be \$243,000. The revenue sources would be the Madison-Missouri River Trust Fund (\$81,511), PPL-Montana (\$81,511) and FWP contribution (\$80,000).

10f. Yearly maintenance costs for the site are estimated to be \$3,300, including latrine pumping.

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** 11. <u>AESTHETICS/RECREATION</u> Will the proposed action result in:	IMPACT *				Can Impact Be Mitigated *	Comment Index
	Unknown *	None	Minor *	Potentially Significant		
a. Alteration of any scenic vista or creation of an aesthetically offensive site or effect that is open to public view?		X				11a.
b. Alteration of the aesthetic character of a community or neighborhood?		X				
c. **Alteration of the quality or quantity of recreational/tourism opportunities and settings? (Attach Tourism Report.)			X			11c.
d. ***For P-R/D-J, will any designated or proposed wild or scenic rivers, trails or wilderness areas be impacted? (Also see 11a, 11c.)						
e. Other:		X				

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Aesthetics/Recreation (attach additional pages of narrative if needed):

11a. Development of this site, especially components such as the chain link fence and the vault toilet, will slightly impact the view from the adjacent lands. Such impacts would be minimal and would be offset by enhanced public health and safety of the site.

11c. Please see Attachment A for Tourism Report.

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12. CULTURAL/HISTORICAL RESOURCES Will the proposed action result in:	IMPACT *				Can Impact Be Mitigated *	Comment Index
	Unknown *	None	Minor *	Potentially Significant		
a. **Destruction or alteration of any site, structure or object of prehistoric historic, or paleontological importance?		X				12a.
b. Physical change that would affect unique cultural values?		X				
c. Effects on existing religious or sacred uses of a site or area?		X				
d. ****For P-R/D-J, will the project affect historic or cultural resources? Attach SHPO letter of clearance. (Also see 12.a.)						12d.
e. Other:		X				

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Cultural/Historical Resources (attach additional pages of narrative if needed):

12a. The proposed action would not destroy or alter any site, structure or object of historic importance.

12d. Please see SHPO letter of clearance in Attachment B.

SIGNIFICANCE CRITERIA

- * Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or cannot be evaluated.
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13. SUMMARY EVALUATION OF SIGNIFICANCE Will the proposed action, considered as a whole:	IMPACT *				Can Impact Be Mitigated *	Comment Index
	Unknown *	None	Minor *	Potentially Significant		
a. Have impacts that are individually limited, but cumulatively considerable? (A project or program may result in impacts on two or more separate resources that create a significant effect when considered together or in total.)		X				13a.
b. Involve potential risks or adverse effects, which are uncertain but extremely hazardous if they were to occur?		X				
c. Potentially conflict with the substantive requirements of any local, state, or federal law, regulation, standard or formal plan?		X				
d. Establish a precedent or likelihood that future actions with significant environmental impacts will be proposed?		X				
e. Generate substantial debate or controversy about the nature of the impacts that would be created?		X				
f. ***For P-R/D-J, is the project expected to have organized opposition or generate substantial public controversy? (Also see 13e.)						
g. ****For P-R/D-J, list any federal or state permits required.						

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Significance Criteria (attach additional pages of narrative if needed):

13a. This EA found no significant impacts to the human or physical environment from the proposed action.

* Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or cannot be evaluated.

** Include a narrative description addressing the items identified in 12.8.604-1a (ARM).

*** Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

**** Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

PART IV. NARRATIVE EVALUATION AND COMMENT

Lake Helena is a fairly large (2100-acre) lake with good fishing near an urban center yet has no safe, permanent public boat access. FWP managers have tried for years to establish access to this lake but have never been successful. The idea of partnering with the Bureau of Reclamation and the Helena Valley Irrigation District to develop a Fishing Access Site on Lake Helena would be a welcome solution to this problem. As the population of Helena grows and the rate of development in the Helena Valley increases, the value of lakeshore property will continue to increase and the opportunity to develop a viable access will become more difficult. This proposal would establish boating access to Lake Helena for the public at reasonable cost as grants are available for these types of projects through the Madison-Missouri River Trust Fund and PPL-Montana.

The location of the proposed FAS is attractive because it offers suitable sites for amenities such as parking and a latrine, lake depths are deep enough to launch a boat, and the site is in close proximity to the deeper portions of the lake where the fishery is best. Many of the impacts likely to be caused by the project can be mitigated, and there is widespread public support from area anglers for the plan to move forward. In short, the proposed development would increase public recreational opportunities with no significant negative impacts.

PART V. PUBLIC PARTICIPATION

- 1. Describe the level of public involvement for this project if any, and, given the complexity and the seriousness of the environmental issues associated with the proposed action, is the level of public involvement appropriate under the circumstances?**

The public will be notified by way of one legal notice in the *Helena Independent Record* and by public notice on the Fish, Wildlife & Parks web page: <http://fwp.state.mt.us/publicnotices>. Individual notices will be sent to those that have requested one.

A public meeting concerning the proposed project has been set for 6 p.m. on June 23, 2008 at the Lewis and Clark Library in the large meeting room.

- 2. Duration of comment period, if any.**

A 30-day comment period is proposed. This level of public involvement is appropriate for this scale of project.

The comment period would run from June 13, 2008 through July 14, 2008. Comments should be sent to:

Craig Marr
Helena Area Park Manager
Helena Area Resource Office of FWP
PO Box 200701
Helena, MT 59620
cmarr@mt.gov

PART V. EA PREPARATION

1. Based on the significance criteria evaluated in this EA, is an EIS required? (YES/NO)?

If an EIS is not required, explain why the EA is the appropriate level of analysis for this proposed action.

Based on an evaluation of the primary, secondary, and cumulative impacts to the physical and human environment, this environmental review found no significant impacts from the proposed action. In determining the significance of the impacts, Fish, Wildlife and Parks assessed the severity, duration, geographic extent, and frequency of the impact, the probability that the impact would occur or reasonable assurance that the impact would not occur. FWP assessed the growth-inducing or growth-inhibiting aspects of the impact, the importance to the state and to society of the environmental resource or value affected, any precedent that would be set as a result of an impact of the proposed action that would commit FWP to future actions; and potential conflicts with local, federal, or state laws. As this EA revealed no significant impacts from the proposed actions, an EA is the appropriate level of review and an EIS is not required.

2. Name, title, address and phone number of the person(s) responsible for preparing the EA:

Craig Marr
Helena Area Park Manager
Helena Area Resource Office of FWP
PO Box 200701
Helena, MT 59620
(406) 444-7885
cmarr@mt.gov

Linnaea Schroeer-Smith
Independent Contractor
912 Dearborn Ave.
Helena, MT 59601
(406) 495-9620
mtflower3@bresnan.net

3. List of agencies consulted during preparation of the EA:

Montana Fish, Wildlife & Parks
Parks Division
Wildlife Division
Fisheries Division
Design & Construction Bureau
Lands Division
Montana State Historic Preservation Office (SHPO)

Montana Department of Commerce – Tourism
Montana Natural Heritage Program – Natural Resources Information System (NRIS)
Bureau of Reclamation Montana Area Office
Bureau of Reclamation Canyon Ferry Division Office
Helena Valley Irrigation District

APPENDIX 1
HB495
PROJECT QUALIFICATION CHECKLIST

Date February 8, 2008 **Person Reviewing** Linnaea Schroeer-Smith

Project Location: Township 11N, Range 03W, sec. 13 in Lewis and Clark County.

Description of Proposed Work: Montana Fish, Wildlife & Parks (FWP) proposes to enter into a Memorandum of Understanding with the Bureau of Reclamation and the Helena Valley Irrigation District to establish a Fishing Access Site (FAS) on Lake Helena.

Development would include an access road, parking area for 15 truck/trailers, fencing around an irrigation ditch, a boat ramp, vault toilet, and signs.

The following checklist is intended to be a guide for determining whether a proposed development or improvement is of enough significance to fall under HB 495 rules. (Please check ☐ all that apply and comment as necessary.)

- ☒ **A. New roadway or trail built over undisturbed land?**
Comments: Approximately 300 ft of gravel-surface road would be constructed over undisturbed land for the entrance road.
- ☐ **B. New building construction (buildings <100 sf and vault latrines exempt)?**
Comments: None
- ☒ **C. Any excavation of 20 c.y. or greater?**
Comments: The proposed project would likely require excavation of more than 20.c.y.
- ☒ **D. New parking lots built over undisturbed land or expansion of existing lot that increases parking capacity by 25% or more?**
Comments: None. The proposed parking area would be constructed over undisturbed land.
- ☐ **E. Any new shoreline alteration that exceeds a double wide boat ramp or handicapped fishing station?**
Comments: None.
- ☐ **F. Any new construction into lakes, reservoirs, or streams?**
Comments: None
- ☐ **G. Any new construction in an area with National Registry quality cultural artifacts (as determined by State Historical Preservation Office)?**
Comments: SHPO clearance would be obtained prior to project start.
- ☐ **H. Any new above ground utility lines?**
Comments: None
- ☐ **I. Any increase or decrease in campsites of 25% or more of an existing number of campsites?**
Comments: None.
- ☒ **J. Proposed project significantly changes the existing features or use pattern; including effects of a series of individual projects?**
Comments: The proposed project will provide public access to the site.

If any of the above are checked, HB 495 rules apply to this proposed work and

should be documented on the MEPA/HB495 CHECKLIST. Refer to MEPA/HB495 Cross Reference Summary for further assistance.

Appendix 2

Sensitive Plants and Animals in the proposed Lake Helena FAS Area

Species of Concern Terms and Definitions

Montana Species of Concern. The term "**Species of Concern**" includes taxa that are at-risk or potentially at-risk due to rarity, restricted distribution, habitat loss, and/or other factors. The term also encompasses species that have a special designation by organizations or land management agencies in Montana, including: Bureau of Land Management Special Status and Watch species; U.S. Forest Service Sensitive and Watch species; U.S. Fish and Wildlife Service Threatened, Endangered and Candidate species.

▼ Status Ranks (Global and State)
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The international network of Natural Heritage Programs employs a standardized ranking system to denote global (**G** -- range-wide) and state status (**S**) (NatureServe 2003). Species are assigned numeric ranks ranging from 1 (critically imperiled) to 5 (demonstrably secure), reflecting the relative degree to which they are “at-risk”. Rank definitions are given below. A number of factors are considered in assigning ranks -- the number, size and distribution of known “occurrences” or populations, population trends (if known), habitat sensitivity, and threat. Factors in a species’ life history that make it especially vulnerable are also considered (e.g., dependence on a specific pollinator).

Status Ranks	
Code	Definition
G1 S1	At high risk because of extremely limited and/or rapidly declining numbers, range, and/or habitat, making it highly vulnerable to global extinction or extirpation in the state.
G2 S2	At risk because of very limited and/or declining numbers, range, and/or habitat, making it vulnerable to global extinction or extirpation in the state.
G3 S3	Potentially at risk because of limited and/or declining numbers, range, and/or habitat, even though it may be abundant in some areas.
G4 S4	Uncommon but not rare (although it may be rare in parts of its range), and usually widespread. Apparently not vulnerable in most of its range, but possibly cause for long-term concern.
G5 S5	Common, widespread, and abundant (although it may be rare in parts of its range). Not vulnerable in most of its range.

1. *Canis lupus* (Gray Wolf).

Natural Heritage Ranks:

State: **S3**

Global: **G4**

Federal Agency Status:

U.S. Fish and Wildlife Service: **LE, XN**

U.S. Forest Service: **Endangered**

U.S. Bureau of Land Management: **Special Status**

No observational data exists for this specific site, but the project area is inside of possible wolf habitat. It is unlikely that the proposed project would impact this species.

2. *Haliaeetus leucocephalus* (Bald Eagle).

Natural Heritage Ranks:

State: **S3**

Federal Agency Status:

U.S. Fish and Wildlife Service: **DM**

Global: **G5**

U.S. Forest Service: **Threatened**

U.S. Bureau of Land Management: **Special Status**

Element Occurrences of bald eagles occur in several areas encompassing the southwestern edges of Lake Helena, but do not overlap with the proposed Fishing Access Site. It is unlikely that the proposed project would impact this species.

3. *Cynomys ludovicianus* (Black-tailed Prairie Dog).

Natural Heritage Ranks:

State: **S2B**

Global: **G5**

Federal Agency Status:

U.S. Fish and Wildlife Service:

U.S. Forest Service: **Sensitive**

U.S. Bureau of Land Management: **Sensitive**

A colony of this species can be found approximately ½ mile from the project area. It is unlikely that the proposed project would impact this species, as the lowland site does not represent their preferred habitat.

4. *Dolichonyx oryzivorus* (Bobolink).

Natural Heritage Ranks:

State: **S2B**

Global: **G5**

Federal Agency Status:

U.S. Fish and Wildlife Service:

U.S. Forest Service:

U.S. Bureau of Land Management:

An Element Occurrence of this species occurs across the southwestern edges of Lake Helena, but does not overlap with the proposed Fishing Access Site. It is unlikely that the proposed project would impact this species.

Information courtesy of Montana Natural Heritage Program

ATTACHMENT A TOURISM REPORT MONTANA ENVIRONMENTAL POLICY ACT (MEPA)/HB495

The Montana Department of Fish, Wildlife and Parks has initiated the review process as mandated by HB495 and the Montana Environmental Policy Act in its consideration of the project described below. As part of the review process, input and comments are being solicited. Please complete the project name and project description portions and submit this form to:

Carol Crockett
Tourism Development Specialist, Travel Montana
Montana Commerce Department
301 South Park Avenue
Helena, MT 59601

406-841-2796, FAX 406-841-2871
ccrockett@mt.gov

Project Name: Lake Helena Fishing Access Site Development and Management Project.

Project Location: Township 11N, Range 03W, sec. 13 in Lewis and Clark County.

Project Description: Montana Fish, Wildlife & Parks (FWP) proposes to enter into a Memorandum of Understanding with the Bureau of Reclamation and the Helena Valley Irrigation District to establish a Fishing Access Site (FAS) on Lake Helena. Development would include an access road, parking area for 15 truck/trailers, fencing around an irrigation ditch, a boat ramp, vault toilet, and signs.

1. Would this site development project have an impact on the tourism economy?
NO YES If YES, briefly describe:

As described, the project has the potential to positively impact the tourism & recreation industry economy.

2. Does this impending improvement alter the quality or quantity of recreation/tourism opportunities and settings?
NO YES If YES, briefly describe:

As described, the project would improve the quality and quantity of tourism & recreational opportunities.

Signature Carol Crockett Date January 16, 2008

Attachment B
SHPO Letter of Clearance



IN REPLY REFER TO:
MT-227
ENV-3.00

United States Department of the Interior

BUREAU OF RECLAMATION

Great Plains Region

Montana Area Office

P.O. Box 30137

Billings, Montana 59107-0137



TAKE PRIDE
IN AMERICA

CONCERN

MONTANA SHPO

RECEIVED
FEB 29 2008
MAR 03 2008

DATE 19 MAR 08 SIGNED

- Josef
- BOR
- FWP FAS,
Lake Helena
L & C Co

Dr. Mark Baumler
State Historic Preservation Officer
Montana Historical Society
P.O. Box 201202
Helena, MT 59620-1202

BY: SHPO

Subject: Notification of Undertaking – Request for a Fishing Access Site on Lake Helena,
Lewis and Clark County, Montana MATO Project No. HV-08-16

Dear Dr. Baumler:

The State of Montana, Department of Fish, Wildlife and Parks has requested authority from the Montana Area Office of the Bureau of Reclamation to develop a fishing access site on Lake Helena. The location is in Lewis and Clark County in portions of Section 13, Township 11 North, Range 3 West, MPM. A map of the location is found in the enclosed report.

The proposed undertaking involves authority for future development of a 5 acre tract of land on the north side of Lake Helena. Details as to the exact nature of development have not yet been prepared, however some type of road and parking area will need to be developed. Examination of our files indicated that the land had never been examined for cultural resources. A cultural resource survey was conducted on the 21st of February, 2008. The resulting report titled: Cultural Resource Inventory of A Proposed Fishing Access Site On Lake Helena, Lewis and Clark County, Montana is enclosed for your reference.

The only cultural resource located on the land is a feature of the Helena Valley Irrigation Unit (24LC1062). The feature in question is the end of the Helena Valley Irrigation Unit main canal and drop into Lake Helena. The main features of the system include a pumping plant below Canyon Ferry Dam, The Helena Valley Tunnel, the Helena Valley Regulating Dam, and the Canal System. The Dam was the final major feature of the system completed, being closed in March of 1959, and at the current time is less than 50 years old. While the feature is important to the economy of the Helena Valley, it does not at this time qualify as a historical property.

Based on these considerations, the MTAO feels that a finding of **no historic properties affected** is appropriate based on 36 CFR Part 800.4(d)(1). We request your concurrence in this matter. If you have any questions, please call me at 406-247-7329, or by e-mail at wvincent@gp.usbr.gov.

Sincerely,

William B. Vincent
Area Archaeologist

Enclosures - 2

